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William M. Lee, Jr.
Lee, Mann, Smith, McWilliams, Sweeney & Ohlson
P.O. Box 2786
Chicago, IL 60690-2786

In re Application of
RUSHBROOKE, et al.
U.S. Application No.: 10/018,387
PCT No.: PCT/GB00/01576
Int. Filing Date: 20 April 2000
Priority Date: 26 June 1999
Attorney's Docket No.: 602-1551
For: MICROPLATE READER

DECISION ON PAPERS

UNDER 37 CFR 1.43

This decision is in response to applicant's "Renewed Request Under 37 C.F.R. § 1.43" filed 10 September 2002 in the United States Patent and Trademark Office (USPTO).

BACKGROUND

On 15 August 2002, applicant was mailed a decision dismissing applicant's request under 37 CFR 1.43. Applicant was afforded two months in which to file any request for reconsideration.

On 10 September 2002, applicant filed the present renewed request under 37 CFR 1.43.

DISCUSSION

As stated in the decision mailed 15 August 2002, the declaration filed 05 June 2002 appeared to set forth the residence, post office address and country of citizenship for the legal representative, Claire HOOPER in the portion of the declaration provided for the incapacitated inventor, John RUSHBROOKE. Counsel has presently filed a signed statement that the "petitions attorney incorrectly concluded that the address in the declaration is that for Dr. Hooper, and not for Dr. Rushbrook." However, counsel has not certified that the citizenship listed on the filed declaration in the signature box for inventor RUSHBROOKE is indeed that of Mr. RUSHBROOKE.

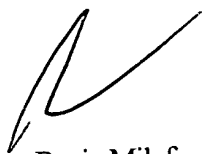
CONCLUSION

Applicant's response of 10 September 2002 appears to be a bona fide response to the decision mailed 15 August 2002. Applicant is hereby accorded **ONE (1) MONTH** from the mail date of this decision or time remaining from the decision mailed 15 August 2002, which ever is greater, to either 1) confirm that the citizenship listed on the declaration filed 05 June 2002 under

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inventor RUSHBROOKE is indeed that of Mr. RUSHBROOKE or 2) submit a new oath or declaration identifying the correct citizenship of the incapacitated inventor.

Any further correspondence with respect to this matter should be directed to the Assistant Commissioner for Patents, Box PCT, Washington, D.C. 20231, with the contents of the letter directed to the attention of the PCT Legal Office.



Boris Milef
Legal Examiner
PCT Legal Office



Derek A. Putonen
Petitions Attorney
PCT Legal Office
Tel: (703) 305-0130
Fax: (703) 308-6459